



Attorney Docket No. 085874-0136

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Graham BANK et al.

Title: LOUDSPEAKERS

Appl. No.: 09/384,419

Filing Date: 08/27/1999

CPA Filed: 02/05/2002

Examiner: Suhan Ni

Art Unit: 2643

K. Ward
3/19/03
#19 Terminal
Disclaimer

TERMINAL DISCLAIMER

Commissioner for Patents
Washington, D.C. 20231

Sir:

Your Petitioner, NEW TRANSDUCERS LIMITED, having its principal place of business at Ixworth House, 37 Ixworth Place, London, Great Britain SW3 3QH, represents that it is the owner of the entire right, title, and interest in and to U.S. Patent Application Serial No. 09/384,419, filed August 27, 1999, by virtue of an Assignment filed and recorded on November 8, 1999, on Reel/Frame 010364/0370, in the United States Patent and Trademark Office, a copy of which is attached hereto as APPENDIX

A. Further, your Petitioner represents that it is the owner of U.S. Patent No. 6,332,029, which issued on U.S. Patent Application No. 08/707,012, filed September 3, 1996, by virtue of an Assignment filed and recorded on May 29, 1998, on Reel/Frame 9208/0962, in the United States Patent and Trademark Office, a copy of which is attached hereto as APPENDIX B.

02/25/2003 JBALINAH 00000013 09384419

01 FC:1814

110.00 OP

Your Petitioner, NEW TRANSDUCERS LIMITED, hereby disclaims the terminal part of the term of any patent granted on the above identified patent application which would extend beyond the full statutory term, as shortened by any terminal disclaimer, of U.S. Patent 6,332,029, and hereby agrees that any patent so granted on the above identified patent application shall be enforceable only for and during such period that the legal title to U.S. Patent 6,332,029 shall be the same as the legal title to any patent granted on the above identified patent application, this agreement to run with any patent granted on the above identified patent application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on the above identified patent application, prior to the full statutory term of U.S. Patent 6,332,029 as defined in 35 U.S.C. §§154-156 and 173, in the event that U.S. Patent 6,332,029 expires for failure to pay a maintenance fee, is held unenforceable or is found invalid in a final judgment by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims canceled by a reexamination certificate or as a result of an interference proceeding, or is otherwise not deemed to provide the rights conveyed by 35 USC §154, prior to the full statutory term of U.S. Patent 6,332,029 as defined in 35 USC §§154-156 and 173, except for the separation of legal title stated above. Further, Petitioner does not disclaim any terminal part of a patent granted on the above identified patent application that would extend beyond the present termination of U.S. Patent 6,332,029, in the event that such present term is extended by virtue of compliance with the conditions for term extension of any present or future patent term extension provisions of the patent law, including but not limited to 35 U.S.C. §§155, 155A or

Serial No. 09/384,419

156, and without waiving Petitioner's right to extend the term of a patent granted on the above identified patent application to the extent provided by law.

The undersigned, being the Attorney of Record for the above identified patent application, and duly authorized to act on behalf of Petitioner, certifies that he has reviewed the Assignments attached as APPENDICES A and B, and to the best of his knowledge and belief, legal title to the above identified patent application and U.S. Patent 6,332,029 rests with Petitioner, NEW TRANSDUCERS LIMITED. The undersigned declares that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing therefrom.

Respectfully submitted,

Date

February 24, 2003

By

Alan I. Cantor

FOLEY & LARDNER

Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

Telephone: (202) 672-5300

Facsimile: (202) 672-5399

Alan I. Cantor

Attorney for Applicant

Registration No. 28,163